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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TOMAS PEREZ,

Plaintiff,

v.

BARRICK GOLDSTRIKE MINES, INC., a
foreign corporation,

Defendant.

Case No.: 3:19-cv-67-RCJ-WGC

**ORDER TO EXTEND TIME FOR
PLAINTIFF TO RESPOND TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

[FIRST REQUEST]

It is hereby stipulated by and between the parties, through their respective counsel, that Plaintiff, TOMAS PEREZ, (hereinafter referred to as "Plaintiff"), shall have an extension from Monday, November 16, 2020 to and including **Monday, December 14, 2020**, in which to file his Response to Defendant's Motion for Summary Judgment. Additionally, the Defendant BARRICK GOLDSTRIKE MINES, INC. shall have a reciprocal extension to and including **Monday, January 11, 2021**, in which to file its Reply to Plaintiff's Response. This stipulation is submitted and based upon the following:

1. That Plaintiff's counsel has requested this extension of time and has informed Defendants' counsel that he has had a death in the family this week and has had to attend to family matters.
2. Further, the Thanksgiving holiday will be coming up and Plaintiff has extensive family

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1 commitments during that time frame including his son coming home from his first
2 semester at UNR and plans related to that.

3 3. Further an extension is necessary because Plaintiff's counsel has been experiencing a
4 heavy workload including, but not limited to extensive depositions on October 27, 28,
5 and 29. An all day deposition of his client coming up on November 18, 2020.
6 Answering extensive written discovery and propounding extensive discovery in a
7 number of cases, a Petition for Review to the Supreme Court of Nevada on November
8 10, a Reply Brief due in the Supreme Court of Nevada on November 19. Plus at least 4
9 new cases that must be filed within the next 10 days because they are coming up on the
10 90 day deadline after EEOC right to sue notices (EEOC dropped numerous right to sue
11 notices in mid-late August after several months of not issuing any due to the pandemic).
12 Thus, Plaintiff's counsel has been unable to devote time to working on the response to
13 the Motion for Summary Judgment in this case and will not be able to devote the
14 substantial time that it will require until after Thanksgiving.

15 4. As a result of the above, during the time since the Defendant filed the motion, Plaintiff's
16 counsel has not had sufficient time to respond to the Motion for Summary Judgment.
17 Additionally, Plaintiff's counsel needs to meet with his client to get his input into the
18 response, and a declaration in support of the response, and he has been unable to
19 schedule the meeting which is complicated by the fact that the client lives in Elko and so
20 the meeting will have to take place electronically.

21 5. The Defendant's Reply is to be extended to January 11, 2021 because as a result of the
22 Response extension requested, the Reply would be due on December 28, 2020 absent a
23 reciprocal extension. Because of family and holiday commitments over the weeks of
24 Christmas and New Year's, counsel for Defendant would like an additional two weeks
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1 to file a Reply in support of the Motion for Summary Judgment and Plaintiff's counsel
2 agrees that such is reasonable.

- 3 6. That this request for an extension of time for Plaintiff to file his Response to
4 Defendants' above referenced Motion for Summary Judgment is made in good faith and
5 not for purpose of delay.
6

7 DATED this 12th day of November, 2020.

8 /s/ James P. Kemp

9 James P. Kemp, Esq
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/s/ David C. Castleberry, Esq.

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15 IT IS SO ORDERED

16 
17 U.S. DISTRICT COURT JUDGE

18 Dated: November 24, 2020.
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